

## REMARKS

In the Office Action issued on August 4, 2005, claims 1-14 and 22-30 were rejected 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,959,015 to Rasinski et al. (Rasinski). Claims 15-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rasinski in view of U.S. Patent No. 5,566,295 to Cypher et al. Claims 1-21, 23, and 27-28 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 21, 24, and 25 were rejected under 35 U.S.C. §112, ¶2, as being indefinite. Claims 7, 12, 17, and 19 were objected to due to informalities. The abstract of the disclosure was objected to.

Claims 1-22 and 24-30 are now pending in this application. Claims 1, 7, 12, 14, 17, 19, 21, 22, and 24-30 were amended to correct issues under 35 U.S.C. §101 and 35 U.S.C. §112, ¶2 and issues to which the Examiner objected. Claims 23-25 were cancelled. New claims 31 and 32, which correspond to claims 24 and 25, respectively, were added. The abstract was amended.

The Applicant respectfully submits that the present invention according to claims 1-14 and 22-30 is not anticipated by Rasinski. Rasinski discloses an interactive trainer for electronic countermeasures simulation capable of providing displays of in-flight threats and countermeasures responses representative of an actual combat equipment suite. Threat scenarios are stored in computer memory and recalled at a push-button display console. Default parameters may readily be modified by the operator under software control. The aircraft position with respect to selected threats is displayed in real time superposed on the threat parameters. Displays are identical to that provided by the equipment simulated and reflect the true operational status as preset by the operator.

In particular, at col. 2, lines 63-68, Rasinski discloses a digital memory 16, which includes an electrically programmable memory (EEPROM) into which desired scenarios may be

stored in accordance with a known tactical situation. By contrast, the present invention, for example, according to claim 1, requires at least one storage member in which a set of rules for the behavior is stored. A scenario is not the same as a rule. One of skill in the art would recognize that the disclosure of the storage of scenarios does not teach the storage of rules for a behavior required by the present invention.

At col. 3, lines 19-22, Rasinski discloses receiving a manual command from a keyboard and which generates a digital signal to enter the simulation mode or revert to normal operation. At col. 4, lines 12-14, Rasinski discloses the threat scenario automatically beginning. By contrast, the present invention, for example, according to claim 1, requires that the device being operable with a first automatic rule handler which automatically executes said rules according to a predetermined program for the rule handling. Merely entering simulation mode, reverting to normal operation, or beginning a threat scenario is not the same as automatically executing rules according to a predetermined program for the rule handling. One of skill in the art would recognize that the disclosure of entering simulation mode, reverting to normal operation, or beginning a threat scenario does not teach automatically executing rules according to a predetermined program for the rule handling required by the present invention.

At col. 3, lines 14-18, Rasinski discloses a data and control bus that couples command signals from pilot-trainee input and navigational data to a CPU for interacting with a predetermined scenario, and returns data signals representative of the scenario to a second CPU. By contrast, the present invention, according to claim 1, requires indicating an alternative to the automatic execution by the first rule handler, such that the second rule handler is activated and executes the rules in accordance with said instructions from the user at the same time that the first rule handler continues the automatic execution. Nothing about coupling command signals

to a CPU for interacting with a predetermined scenario teaches anything about indicating an alternative to the automatic execution by the first rule handler, such that the second rule handler is activated and executes the rules in accordance with said instructions from the user at the same time that the first rule handler continues the automatic execution.

Thus, the present invention, according to claim 1 and according to claims 22, and 27, which are similar to claim 1, and according to claims 2-14, 24-26, and 28-30 which depend therefrom, is not anticipated by Rasinski.

The Applicant respectfully submits that the present invention, according to claims 15-21 are not unpatentable over Rasinski in view of Cypher because even if Rasinski and Cypher were combined as suggested by the Examiner, the result would still not be the present invention as claimed. Cypher discloses an extensible simulation system and graphical programming method that enables a simulation user to program the behaviors of objects in a simulation while requiring no knowledge of computer programming concepts or languages. In particular, Cypher does not disclose or suggest at least one storage member in which a set of rules for the behavior is stored, the device being operable with a first automatic rule handler which automatically executes said rules according to a predetermined program for the rule handling, and indicating an alternative to the automatic execution by the first rule handler, such that the second rule handler is activated and executes the rules in accordance with said instructions from the user at the same time that the first rule handler continues the automatic execution.

Thus, the combination of Rasinski and Cypher still fails to disclose or suggest these required elements of the present invention. Therefore, the present invention, according to claims 15-21 is not unpatentable over Rasinski in view of Cypher.

In view of the above, it is respectfully submitted that the present invention is allowable

over the references relied upon in the Office Action. Accordingly, favorable reconsideration of this case and early issuance of the Notice of Allowance are respectfully requested.


**Additional Fees:**

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 19-5127 (25880.0022).

**Conclusion**

In view of the foregoing, all of the Examiner's rejections to the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all the claims remaining in the application. Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below.

Date: 12-5-05



Michael A. Schwartz, Reg. No. 40,161  
Attorney for Applicants  
Swidler Berlin LLP  
3000 K Street, NW, Suite 300  
Washington, DC 20007  
Telephone: (202) 424-7500